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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,686	08/31/2001	Kiyoshi Kokubu	7217/65437	1263

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EXAMINER

ROY, SIKHA

ART UNIT

PAPER NUMBER

2879

DATE MAILED: 03/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/943,686

Applicant(s)

KOKUBU, KIYOSHI

Examiner

Sikha Roy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,5,6,13,17 and 18 is/are allowed.
- 6) ☐ Claim(s) 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

The Amendment, filed on December 23, 2002 has been entered and is acknowledged by the Examiner.

Cancellation of claims 2-4, 8-12 and 14-16 has been entered.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent 5,894,193 to Amrine et al.

Regarding claim 7 Amrine et al. disclose (column 3 lines 47-61 column 4 lines 6-35 Figs. 4 and 5) a sealing vessel (field emission display) 400 comprising a pair of flat plates 410 and 430, a frame member 300 pinched between the pair of flat plates and an adhering member (frit sealant) for sealing a space formed inside the frame member (frit land 323) by adhering to the flat plates at a contact location with the frame and a getter material attached to inner surface (getter frame 320) of the frame member.

Amrine et al. disclose the claimed invention except for the adhering member adhering to the outer peripheral surface of the frame member. It would have been obvious matter of design choice to have the adhering member adhering to the outer peripheral surface of the frame, since the applicant has not disclosed that having the adhering member affixed to the outer peripheral surface of the frame solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the adhering member adhering to the pair of flat plates at a contact location with the frame as disclosed by Amrine et al.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,894,193 to Amrine et al. in view of JP 2001-206739 to Matsushita.

Regarding claim 7 Amrine et al. disclose (column 3 lines 47-61 column 4 lines 6-35 Figs. 4 and 5) a sealing vessel (field emission display) 400 comprising a pair of flat plates 410 and 430, a frame member 300 pinched between the pair of flat plates and an adhering member (frit sealant) for sealing a space formed inside the frame member (frit land 323) by adhering to the flat plates at a contact location with the frame and a getter material attached to inner surface (getter frame 320) of the frame member.

Claim 7 differs from Amrine et al. in that Amrine et al. do not exemplify the adhering member adhering to the outer peripheral surface of the frame member.

Matsushita in analogous art of manufacturing display device disclose (please see English abstract, Figs. 2b; 2c) a display device comprising upper panel 1, lower panel 2, a frame glass 3 setting the interval between the two panels and frit bar 10 outside the frame member between the glass plates fused so that the space between the panels is

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filled and panels are stuck. Fig. 2c clearly discloses the frit member adhering to the outer peripheral surface of the frame member 3 between the two panels. It is noted that this design of adherence of the frit member adheres securely and tightly the two glass panels with good accuracy.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to modify the adhering member of Amrine et al. by adhering to the outer peripheral surface of the frame member as taught by Matsushita for adhering the two flat plates securely and tightly with good accuracy.

Allowable Subject Matter

Claims 1,5,6 and 13,17,18 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

Regarding claims 1 and 13, the references of the Prior Art of record fails to teach or suggest a sealing vessel with the combination of the limitations as set forth in claim 1 and 13, and specifically comprising the limitation of fixing block means for coupling the pair of flat plates formed of a first metal fixing block adhered to one of the pair of flat plates and a second metal fixing block adhered to the other of the pair of flat plates, the first and second metal fixing blocks being welded together.

Claims 5, 6 are allowable for the reasons given in claim 1 because of their dependency status from claim 1.

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Claims 17,18 are allowable for the reasons given in claim 13 because of their dependency status from claim 13.

Response to Arguments

Applicant's arguments with respect to claim 7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U. S. Patent 5,789,859 to Watkins et al. and U. S. Patent 6,051,924 to Whalin et al. disclose field emission display having supporting frame with getter material.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sikha Roy whose telephone number is (703) 308-2826. The examiner can normally be reached on Monday-Friday 8:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (703) 305-4794. The fax phone number for the organization is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

S.R.

Sikha Roy
Patent Examiner
Art Unit 2879


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